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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 ALLSTATE INDEMNITY COMPANY, an  
9 Illinois Corp., ALLSTATE PROPERTY  
AND CASUALTY INSURANCE  
COMPANY, an Illinois Corp. ,

10 Plaintiffs,

11 v.

12 UNA LYONS and JOHN PATRICK  
13 LYONS, husband and wife and the marital  
community comprised thereof; KIMBERLY  
14 DIEHL, a single woman,

15 Defendants.

CASE NO. 2:17-cv-00511-BAT

**ORDER GRANTING MOTION TO  
DISMISS WITH PREJUDICE**

16 On October 31, 2018, Plaintiffs/Counter Defendants Allstate Indemnity Company and  
17 Allstate Property and Casualty Insurance Company (collectively “Allstate”) filed a “Notice of  
18 Mootness,” notifying the Court that this declaratory judgment action is now moot as the  
19 underlying state court case was tried, a defense verdict was rendered, the case was dismissed,  
20 and no appeal was filed. Dkt. 29. On November 1, 2018, the Court directed the Clerk to note  
21 Allstate’s notice as a motion to dismiss with prejudice on November 23, 2018. Dkt. 30.

22 Defendants/Counter Claimants Una Lyons and John Patrick Lyons and Defendant  
23 Kimberly Diehl have filed no opposition to the motion to dismiss.

1 Accordingly, it is **ORDERED**:

2 1. Allstate's motion to dismiss with prejudice (Dkt. 29) is **GRANTED**.

3 2. The Clerk is directed to enter judgment and send copies of this Order to the  
4 parties.

5 DATED this 26th day of November, 2018.

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8 BRIAN A. TSUCHIDA  
9 Chief United States Magistrate Judge  
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